



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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## WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON INFORMAL REQUEST OF INDUSTRIAL TELECOMMUNICATIONS ASSOCIATION FOR CERTIFICATION TO PROVIDE FREQUENCY COORDINATION FOR 929-930 MHZ PAGING FREQUENCIES AND SPECIAL EMERGENCY FREQUENCIES BELOW 512 MHZ

Comment Due Date: January 21, 2003

Reply Comment Due Date: February 5, 2003

On June 27, 2002, the Industrial Telecommunications Association (ITA) filed an informal request for frequency coordination certification for 929-930 MHz paging frequencies<sup>1</sup> and special emergency frequencies<sup>2</sup> below 512 MHz.<sup>3</sup> This *Public Notice* seeks comment on ITA's request.

In 1986 the Commission certified frequency coordinators in each of the PLMR services.<sup>4</sup> At this time, ITA's predecessor was certified to coordinate certain frequencies below 512 MHz and above 800 MHz.<sup>5</sup> In the *Refarming Second Report and Order*, the Commission determined that the Industrial/Business Pool<sup>6</sup> below 512 MHz would be administered by multiple coordinators, thus ending exclusive frequency coordination on certain frequencies and allowing competition to be introduced into the coordination process in those frequencies.<sup>7</sup> The introduction of competition among coordinators was intended to promote lower coordination costs and foster better service to the public.<sup>8</sup>

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<sup>1</sup> The five 900 MHz paging frequencies are listed in 47 C.F.R. § 90.494(b).

<sup>2</sup> Prior to radio service consolidation in 1997, certain Public Safety Pool frequencies were available for stations in the former Special Emergency Radio Service. Under current rules, applications for most of these frequencies must be coordinated by the Special Emergency Coordinator. For convenience, we refer to these Public Safety Pool frequencies herein as "special emergency" frequencies, which are listed in 47 C.F.R. § 90.20(c)(3) with coordinator code "PS."

<sup>3</sup> Industrial Telecommunications Association, Informal Request for Certification to Provide Frequency Coordination Services for the 929-930 MHz Paging Frequencies and Special Emergency Frequencies under Part 90 of the Commission's Rules (filed June 27, 2002) (ITA Request).

<sup>4</sup> See Frequency Coordination in the Private Land Mobile Radio Services, PR Docket No. 83-737, *Report and Order*, 103 FCC 2d 1093 (1986).

<sup>5</sup> ITA's predecessor was the Special Industrial Radio Service Association (SIRSA).

<sup>6</sup> The Industrial/Business Pool is comprised of frequencies that were previously allotted to any of the Industrial or Land Transportation Radio Services, including the Business Radio Service. See 47 C.F.R. §§ 90.31-90.35.

<sup>7</sup> See Replacement of Part 90 by Part 88 to Revise the Private Land Mobile Radio Services and Modify the Policies Governing Them and Examination of Exclusivity and Frequency Assignments Policies of the Private Land Mobile Services, PR Docket No. 92-235, *Second Report and Order*, 12 FCC Rcd 14307, 14328 ¶ 40 (1997).

<sup>8</sup> *Id.*

ITA notes that, more recently, the Commission has recognized the benefits of competitive coordination services at 800 and 900 MHz by opening up competition in both the Business and Industrial/Land Transportation pools.<sup>9</sup> In this connection, ITA notes that consolidation and competition have not yet reached the 929-930 MHz paging frequencies or the special emergency frequencies.<sup>10</sup> Noting that the Commission found it qualified to be certified for the Special Industrial Radio Service, the Industrial/Business Pool, and the 800/900 Business and Industrial/Land transportation Pools, ITA states that it is qualified, and meets the criteria to be certified, to coordinate applications for the 900 MHz paging frequencies and the special emergency frequencies below 512 MHz.<sup>11</sup> In this connection, ITA states that special emergency systems are no different than typical industrial/business radio systems.<sup>12</sup> Moreover, ITA states that granting the instant request would be in the public interest and consistent with the Commission's statements in support of competition.

Interested parties may file comments on the ITA Request on or before January 21, 2003, and reply comments on or before February 5, 2003. Parties should reference the ITA Request and the DA number of this Public Notice in their submissions, and use headings, *etc.*, to indicate comments, or sections thereof, directed to the 900 MHz paging frequencies or the special emergency frequencies below 512 MHz. All comments should be filed with the Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W., TW-A325, Washington, D.C. 20554. A copy of each response also should be sent to (1) Qualex International, 445 12th Street, SW, Room CY- B402, Washington, DC, 20554, 202-863-2893, (2) Peter Waltonen, Esq., FCC, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, Policy and Rules Branch, 445 12<sup>th</sup> Street, S.W., Room 4-C400, Washington, D.C. 20554, (3) James Brown, FCC, Wireless Telecommunications Bureau, Commercial Wireless Division, Licensing and Technical Analysis Branch, 445 12<sup>th</sup> Street, S.W., Room 4-B441, Washington, D.C. 20554, and (4) Maria Ringold, FCC, Consumer and Governmental Affairs Bureau, Reference Information Center, 445 12<sup>th</sup> Street, S.W., Room CY-B529, Washington, D.C. 20554.

The address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail. Hand-delivered or messenger-delivered documents for the Commission's Secretary are accepted only by the Commission's contractor, Vistronix, Inc., at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering 236 Massachusetts Avenue, N.E. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service Express Mail and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. *See* FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).

The full text of the ITA Request, comments and reply comments will be available for inspection and duplication during regular business hours in the Reference Information Center (RIC) of the Consumer

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<sup>9</sup> *See* ITA Request at 3 n.12 *citing* United Telecom Council Informal Request for Certificate as a Frequency Coordinator in the PLMR 800 MHz and 900 MHz Bands, *Order*, 16 FCC Rcd 8436 (WTB PSPWD 2001) (certifying UTC, ITA, MRFAC, PCIA and UTC for 800 MHz and 900 MHz Business and Industrial/Land Transportation frequencies), Wireless Telecommunications Bureau Announces that that Forest Industries Telecommunications is Certified as a Frequency Coordinator for 800/900 MHz Business and Industrial/Land Transportation Frequencies, *Public Notice*, 16 FCC Rcd 12,666 (WTB PSPWD 2001), Wireless Telecommunications Bureau Announces that American Mobile Telecommunications Association, Inc. is Certified as a Frequency Coordinator for 800/900 MHz Business and Industrial/Land Transportation Frequencies, *Public Notice*, 16 FCC Rcd 13,040 (WTB PSPWD 2001).

<sup>10</sup> ITA Request at 3-4.

<sup>11</sup> *Id.* at 5-10.

<sup>12</sup> *Id.* at 7 n.21.

and Governmental Affairs Bureau, Federal Communications Commission, 445 Twelfth Street, S.W., Room CY-A257, Washington, D.C. 20554. Copies may also be obtained from Qualex. For further information regarding the public reference file, please contact Maria Ringold, Chief, Wireless Branch, RIC, (202) 418-1350.

Because of the policy implications and potential impact of this proceeding on persons not parties to this request, we believe it would be in the public interest to treat this matter as a permit-but-disclose proceeding under the *ex parte* rules, see Sections 1.1200(a) and 1.1206 of the Commission's Rules, 47 C.F.R. §§ 1.1200(a), 1.1206, rather than a restricted proceeding under Section 1.1208 of the Commission's Rules, 47 C.F.R. § 1.1208. Therefore, any *ex parte* presentations that are made with respect to the issues involved in the subject request, subsequent to the release of this *Public Notice*, will be permissible but must be disclosed in accordance with the requirements of Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b).

For further information contact: (special emergency freqs.) Peter Waltonen, Esq., Public Safety and Private Wireless Division, Policy and Rules Branch, (202) 418-0097, [pwaltone@fcc.gov](mailto:pwaltone@fcc.gov) or (900 MHz paging freqs.) James Brown, Commercial Wireless Division, Licensing and Technical Analysis Branch, (202) 418-1546, [jkbrown@fcc.gov](mailto:jkbrown@fcc.gov).

By the Chiefs, Public Safety and Private Wireless Division and Commercial Wireless Division, Wireless Telecommunications Bureau.

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